

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:04-CR-00124-F-1

No. 7:16-CV-00193-F

QUINCY LEVON SIDBURY,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

)
)
)
)
)
)
)

ORDER

This matter is before the court on Quincy Levon Sidbury's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 [DE-76, -78]. Having examined Sidbury's motion pursuant to Rule 4(b) of the Rules Governing Section 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing Section 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 motion within **forty (40)** days of the filing of this order.

Sidbury asserts a challenge based on *Johnson v. United States*, 135 S. Ct. 2551 (2015), and he previously had retained counsel. Thus, he does not qualify for appointed counsel pursuant to Standing Order No. 15-SC-2 (E.D.N.C. Oct. 16, 2015). However, the Federal Public Defenders office has entered a notice of appearance [DE-77] pursuant to Standing Order No. 15-SO-2.

SO ORDERED.

This 29 day of June, 2016.



JAMES C. FOX
SENIOR UNITED STATES DISTRICT JUDGE